

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, :
: CIVIL ACTION
v. : NO. 22-2344
:
AMERICAN HEALTH FOUNDATION, :
INC.; AHF MANAGEMENT :
CORPORATION; AHF MONTGOMERY, :
INC. d/b/a CHELTENHAM NURSING AND :
REHABILITATION CENTER; and AHF :
OHIO, INC. d/b/a THE SANCTUARY AT :
WILMINGTON PLAEC and d/b/a :
SAMARITAN CARE CENTER AND VILLA. :

ORDER

AND NOW, this 7th day of November, 2023, upon consideration of Plaintiff United States of America's Motion to Strike Affirmative Defenses (ECF No. 34), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that the Motion is granted in part and denied in part as follows:

1. Plaintiff's Motion to Strike Defendants' Second and Third Affirmative Defenses is **GRANTED**;
2. Plaintiff's Motion to Strike Defendants' Fifth Affirmative Defense is **GRANTED** as to Count I of the Complaint and is **DENIED** as to Counts II and III of the Complaint.

IT IS SO ORDERED.

BY THE COURT:

/s/ R. Barclay Surrick
R. BARCLAY SURREICK, J.